

COVINGTON & BURLING LLP

1201 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004-2401
TEL 202.662.6000
FAX 202.662.6291
WWW.COV.COM

BEIJING
BRUSSELS
LONDON
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March 15, 2012

BY ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Proposal for online political file requirement
(MM Docket No. 00-168; MM Docket No. 00-44;
MB Docket No. 11-189)

Dear Ms. Dortch,

On February 15, 2012, the television station groups listed below (the "Television Station Groups") filed a letter proposing a possible alternative to the approach contained in the FCC's *Further Notice of Proposed Rule Making* in this proceeding. The Media Bureau responded orally in a phone call on February 22, by raising certain points concerning the proposal and asking that the Television Station Groups report back their reactions. They did so in a meeting convened at the FCC on Tuesday, March 13, 2012. Bill Lake, Robert Ratcliffe, Mary Beth Murphy, Holly Saurer, Robert Baker, Greg Elin, Hope Cooper, and John Norton attended the meeting for the FCC. The undersigned attended for the Television Station Groups.

The two general topics of discussion were (1) the additional reporting obligations raised by the Media Bureau beyond those supported by the Television Station Groups in their February 15 filing and (2) the degree to which other television station organizations might be willing to accommodate the additional reporting proposals raised by the Media Bureau in the February 22 phone call.

A. Specific Points Raised By The Media Bureau For An Online Posting Requirement

1. *Whether online disclosure would include information about the office for which the candidate is running, the name of the buyer, and the name of the candidate.*

The Television Station Groups informed the Media Bureau they would support inclusion of this additional information.

2. *Whether online disclosure would include the total amount of time purchased by the candidate, e.g., fifty 60-second spots, twenty-one 30 second spots, and sixteen 10-second spots.*

The Television Station Groups informed the Media Bureau that they stand by their original proposal under which television stations would report the total amount of money spent on behalf of each candidate, but that the Television Station Groups would not support the substantial additional reporting burdens of aggregating spot purchases for each type of spot, particularly given that this information is not required by the Commission's existing rules and that there appears to be no reasonable justification for this additional information. The Television Station Groups noted that the present system, which is intended to facilitate candidates' purchase of political time and to permit evaluation of station compliance with their legal obligations, works well, and that there is no evidence that the system has failed to meet these objectives. The Station Groups expressed the view that, accordingly, television stations should not have to shoulder these additional burdens.

3. *Whether online disclosure would include a name or numeric identifier for each political spot carried by the station.*

The Television Station Groups informed the Media Bureau that they oppose such an obligation as inconsistent with the Commission's goal of simply "modernizing the Commission's processes and expeditiously transitioning from paper to digital technology" while also "reduc[ing] the compliance burdens on broadcasters."¹ It was pointed out that such an obligation would go above and beyond what the Commission's political file rules currently require and would not meet a public interest need not already provided for in the Commission's existing requirements.

¹ In the Matter of Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations, MM Docket No. 00-168, Extension of the Filing Requirement for Children's Television Programming Report (FCC Form 398), MM Docket No. 00-44, *Order on Reconsideration and Further Notice of Proposed Rulemaking*, FCC 11-162, ¶ 1 (Oct. 27, 2011).

4. *Whether online disclosure would be in a format prescribed by the FCC.*

The Television Station Groups indicated they are willing to provide information required by the FCC, but the FCC's requirements should be clear, supported by a public interest purpose, not unduly burdensome, and not extending beyond current public file requirements. They explained that the FCC's prescribing a specific format for such online disclosure would, however, impose significant burdens on television stations, which have different traffic systems, use different technologies, and have different recordkeeping procedures. It was explained that a one-size-fits-all format would be too inflexible and potentially burdensome, expensive, and intrusive. The Television Station Groups, therefore, indicated they would oppose adding this feature to the proposals they submitted on February 15.

5. *Whether stations should have to post the specified information on the FCC's website.*

The Television Station Groups had proposed that stations have the option to post this information on their own websites, provided that the information provided by the stations is complete and accurate. The Television Station Groups noted that statutory framework enacted by Congress for online posting does not support stations having to post on the FCC's website political ad information under discussion, and they advised the Media Bureau that they would not support such a proposal.

6. *Whether all television stations in a market would be required to post political information for the same days of the week.*

The Television Station Groups advised the Media Bureau that stations should have the option to choose a reporting date consistent with their computer software, traffic system, and IT arrangements and that stations should not be bound by the preference of other stations in the market. The Station Groups pointed out the obvious practical difficulties and problems in trying to secure agreement by all stations in a market on a single posting date.

7. *Whether postings should be made once a week during the lowest unit charge period and on a daily basis in the last seven days of elections.*

The Television Station Groups had proposed that political information be posted twice during the last seven days of an election period, provided that stations would not be required to make such postings over the weekend, when the personnel and financial burdens of such postings would be more acute. The Television Station Groups advised the Media Bureau that they continue to believe that their proposal reasonably balances concerns about burdens on stations with the desire for transparency.

8. *Whether the online posting obligation would continue to apply outside of the lowest unit rate period when purchases exceed a certain level, as defined by the FCC.*

The Television Station Groups advised the Media Bureau that they stand by their earlier proposal, namely that, outside the lowest unit rate period, the requested information would be posted online once a month. The Television Station Groups explained to the Media Bureau that they continue to believe that their proposal is simpler, clearer, and easier to comply with and raises none of the complexity and uncertainty entailed by the proposal raised by the Media Bureau on February 22.

9. *Whether online posting procedures should apply to non-candidate purchases of political time and issue ads (not to exceed the disclosure obligations applicable to candidate spots).*

The Television Station Groups advised the Media Bureau that they would not oppose such a proposal, provided that other issues, including those covered above, are satisfactorily resolved and that the obligation would apply only to issue ads, as identified in and covered by Section 315(e) of the Act.

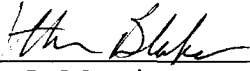
* * *

The Television Station Groups representatives noted that many of the points raised by the Media Bureau appear to be motivated by a desire to achieve comparisons between stations based on the political information stations would have to post online, and that this rationale is not a sufficient public interest justification for imposing new burdens on television stations and that it is not supported by federal statute or current Commission rules or policies.

B. Industry Acceptance Of The Proposal

The Media Bureau inquired about the reactions of other television station groups and organizations to the Television Station Groups' proposals and to additional points raised by the Media Bureau in response to those proposals. Representatives of the Television Station Groups explained that they could not speak for other groups, although some of the matters had been discussed with other broadcast entities. The Television Station Groups advised the Media Bureau that they believe that the concerns they have expressed with respect to the additional points raised by the Media Bureau were strongly shared by other broadcast groups and organizations, but those groups and organizations can best speak for themselves if and when a single set of proposals is provided.

Respectfully submitted,



Mary Jo Manning
Jonathan Blake
Wade Hargrove

On behalf of

Barrington Broadcasting Co., Inc.
Belo Corp.
Cox Media Group
Dispatch Broadcast Group
The E.W. Scripps Company
Gannett Broadcasting
Hearst Television Inc.
Meredith Broadcasting Group
Post-Newsweek Stations, Inc.
Raycom Media, Inc.
Schurz Communications, Inc.

cc: Bill Lake
Robert Ratcliffe
Mary Beth Murphy
Holly Saurer
Robert Baker
Greg Elin
Hope Cooper
John Norton

March 15, 2012